



# Hendry County Sheriff's Office

## General Order 15.4

<b>TITLE:</b> Physical Examinations and Fitness for Duty Evaluations	<b>SHERIFF'S APPROVAL:</b> Digital
<b>ORIGINATION DATE:</b> February 2, 2019	<b>REVISION DATE:</b> May 23, 2019
<b>RELATED REFERENCES:</b> N/A  <b>CFA:</b> N/A	
<b>REVIEW FREQUENCY:</b> 3 YEARS	<b>DATE OF NEXT REVIEW:</b> May 23, 2022

**I. PURPOSE:** The purpose of this order is to inform members about worker's compensation, procedures, and member's responsibility.

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**II. SCOPE:** This order shall apply to all sheriffs' office members.

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### III. POLICY:

The Sheriff's Office will ensure that employees maintain the physical/psychological fitness required in order to perform the essential physical and/or psychological requirements of their respective positions. Examinations as may be ordered by the Sheriff are conducted solely to confirm continued physical/psychological fitness to perform the essential requirements of the position to which an employee is assigned. The standards of fitness will be standards that have been shown to be directly related to the tasks of the employee's position; accordingly, the standards of fitness will not eliminate or penalize any employee who can otherwise perform the essential requirements of his/her position with or without reasonable accommodation.

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### IV. PROCEDURE:

- A. Employees are charged with the responsibility to monitor their own fitness for duty, notifying supervision of known problems, and seeking treatment and/or counseling to ensure their continued ability to perform their duties safely and efficiently.
- B. Supervisors who observe a decline in an employee's job performance due to psychological or behavioral problems should advise the employee to voluntarily seek assistance through the Employee Assistance Program, the group health insurance program, or other mental health professional.
- C. Supervisors who observe that an employee can no longer perform his/her duties safely and efficiently will notify their chain of command/management immediately of their concern. In such cases, Human Resources will be contacted for further review of the situation and recommendations to the Sheriff.
- D. The Sheriff may, at any time, direct an employee to undergo such medical, physical, and/or psychological examination as may be deemed necessary when there is reason to believe there is some

impairment with respect to the employee's ability to perform the essential physical/mental requirements of his/her position. The Sheriff will designate an examining physician/psychologist of his choice and the cost of the examination will be borne by the Sheriff's Office. Human Resources will have the employee sign a form authorizing release of information from the physician/psychologist to the Sheriff's Office regarding the employee's fitness for duty. All costs of examinations will be paid for by the Sheriff's Office.

- E. Depending on the circumstances/severity of a situation in which the Sheriff orders an employee examination to ascertain continued physical/psychological fitness for duty, the employee may be placed on administrative leave or temporarily reassigned pending the outcome of the evaluation.
- F. The employee will be notified by Human Resources, supervision, and/or the Sheriff of the outcome of the evaluation following receipt of the results from the physician/ psychologist. If it is determined that the employee should be able to resume his/her position following treatment/counseling but the employee is not able to work during such treatment/counseling, he/she will be placed on family and medical leave. The employee will not be allowed to return to work until released to duty by the physician/psychologist. If the results of the evaluation indicate that the employee is unable to perform the essential requirements of his/her position, or if following treatment/counseling, the employee is still unable to return to duty, the employee may be subject to administrative action, including, but not limited to, suspension, at the discretion of the Sheriff. An employee who is found unfit for duty may obtain a second opinion at his/her own expense. The Sheriff will consider the results of the second opinion submitted by the employee's physician/psychologist in making his decision regarding the employee's status. Employees placed on suspension will remain in such status, without pay, for up to 12 weeks or until such time as the employee meets the necessary physical/psychological requirements of his/her position, whichever occurs first. If, after 12 weeks in suspended status, the employee fails to meet necessary requirements, the Sheriff may authorize continued suspension status based on operational impact of continued absence, prognosis of return to duty within a reasonable time, etc., or alternatively, the employee may be terminated.
- G. The nature and scope of work in certain positions in the Sheriff's Office may necessitate periodic, specific health screenings conducted by a physician/psychologist designated by the Sheriff at the agency's expense.
- H. Employees who refuse to undergo any required evaluation and/or prescribed treatment/counseling will be subject to disciplinary action, including dismissal.

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## V. GLOSSARY:

**FITNESS FOR DUTY EVALUATION** – An assessment by the Employee Assistance Program (EAP) doctor or a psychologist, paid by the Sheriff's Office, to determine an employee's physical/psychological fitness to perform his/her assigned duties.

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